United Nations ST/SGB/2004/14

Secretariat

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Secretary-General's bulletin

Amendments to staff rules 110.4, 110.5, 110.6, 110.7, 112.3, 212.2 and 312.2

The Secretary-General, pursuant to staff regulation 12.2, and for the purpose of implementing the provisions of the Staff Rules on the financial responsibility of staff members, as clarified by paragraph 3, section II, of General Assembly resolution 51/226, hereby promulgates the text of the amendments to staff rules 110.4, 110.5, 110.6, 110.7, 112.3, 212.2 and 312.2, which are set out in the annex to the present bulletin. These amendments shall be provisional until the requirements of staff regulations 12.3 and 12.4 have been met.

The amendments promulgated by the present bulletin shall enter into force on 1 October 2004.

(*Signed*) Kofi A. **Annan**
Secretary-General

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Annex

Rule 110.4
Due process

...

(d) An appeal in respect of a disciplinary measure considered by a Joint Disciplinary Committee pursuant to either paragraph (b) or (c), **or in respect of financial responsibility for gross negligence pursuant to rule 110.5 shall** be submitted directly to the United Nations Administrative Tribunal.

Rule 110.5
Joint Disciplinary Committees

...

(c) The Joint Disciplinary Committee at Headquarters shall also be available to advise the Secretary-General at his request in matters pertaining to financial responsibility for gross negligence.

Rule 110.6
Composition of Joint Disciplinary Committees

...

(i) When the advice of the Joint Disciplinary Committee at Headquarters is sought in a matter pertaining to financial responsibility for gross negligence, the level of the members constituting the panel shall be at least the same as the level of the staff member whose financial responsibility may be engaged.

Rule 110.7
Joint Disciplinary Committee procedure

...

(d) A Joint Disciplinary Committee shall permit a staff member to arrange to have his or her case presented before it by **counsel, at his or her own expense,** at the duty station where the Committee is established.

(e) A representative of the Office of Legal Affairs shall participate in an advisory capacity in the deliberations of the Joint Disciplinary Committee at Headquarters on an ex officio basis when the advice of the Committee has been requested in a matter pertaining to financial responsibility for gross negligence.

Rule 112.3
Financial responsibility

Any staff member may be required to reimburse the United Nations either partially or in full for any financial loss suffered by the United Nations as a result of the staff member's **gross** negligence or of his or her having violated any regulation, rule or administrative instruction.

Rule 212.2
Financial responsibility

Project personnel may be required to reimburse the United Nations either partially or in full for any financial loss suffered by the United Nations as a result of their **gross** negligence or of their having violated any regulation, rule or administrative instruction.

Rule 312.2
Financial responsibility

Any staff member may be required to reimburse the United Nations either partially or in full for any financial loss suffered by the United Nations as a result of the staff member's **gross** negligence or of his or her having violated any regulation, rule or administrative instruction.